

Dether, P.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PATRICIA DEFILIPPIS,

Plaintiff,

-against-

DEUTSCHE INVESTMENT  
MANAGEMENT AMERICAS, INC.,

Case No. 17-cv-06231 (JPO)

**STIPULATION OF DISMISSAL  
WITH PREJUDICE OF  
PLAINTIFF'S CLAIM FOR  
EMOTIONAL DISTRESS**

Defendant.

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the above-captioned action, that Plaintiff Patricia DeFilippis's claim for relief in the form of non-economic compensatory damages including damages for emotional distress (including, but not limited to, garden variety, non-severe, severe, or any other kind, or symptoms thereof, as well as treatment of same) is hereby dismissed with prejudice and without costs to any party.

IT IS FURTHER STIPULATED AND AGREED that the portions of Plaintiff's Complaint in this action alleging or requesting non-economic compensatory damages "including damages for emotional distress" shall be struck with prejudice, including, but not limited to, from the Prayer for Relief.

IT IS FURTHER STIPULATED AND AGREED that Plaintiff will offer no evidence or testimony of any kind, from herself, a healthcare provider, an expert, or any other witness, in support of any allegation that she suffers or has suffered emotional distress or related bodily injury, including, but not limited to, garden variety, non-severe, severe, or any other kind, or

symptoms thereof, as well as treatment of same in support of any motion and/or at trial in this action.

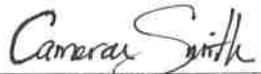
IT IS FURTHER STIPULATED AND AGREED that facsimile signatures are acceptable and have the same force and effect as original signatures.

Dated:        New York, New York  
                  April 17, 2018

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**SO ORDERED:**

Dated: April 17, 2018

  
J. PAUL OETKEN  
United States District Judge